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Counsel for Plaintiffs

UNITED STATES DISTRICT COURT

DISTRICT OF NEW JERSEY

DONALD ULFERTS, Individually And
On Behalf Of All Others Similarly
Situating,

Plaintiff,

vs.

FRANKLIN RESOURCES, INC.;
FRANKLIN ADVISERS, INC.; and
FRANKLIN/TEMPLETON
DISTRIBUTORS, INC.

Defendants.

} Case No. 2:07-cv-01309-WJM-MF


} PLAINTIFF'S BRIEF IN
} OPPOSITION TO DEFENDANTS'
} MOTION TO DISMISS THE
} COMPLAINT

} Return Date: November 13, 2007

Plaintiff Donald Ulferts hereby incorporates and relies upon Plaintiff's Opposition to Defendants' Motion to Dismiss filed in *Alexander et al. v. Franklin Resources, Inc.*, Civ. No. 2:07-cv-008480-WJM-MF. For the same reasons stated in Plaintiff's Opposition in *Alexander*, Defendants' Motion to Dismiss the above-captioned case should be denied in its entirety.

Dated: October 30, 2007

**LITE DEPALMA GREENBERG &
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